

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE, AND
AGRICULTURAL IMPLEMENT WORKERS OF
AMERICA and EARL L. HENRY, BONNIE J.
LAURIA, RAYMOND B. BAILEY, THEODORE
J. GENCO, MARVIN C. MARLOW, CHARLES
R. MILLER, LAVERNE M. SORIANO and JOHN
HUBER, on behalf of themselves and all other
persons similarly situated,

Plaintiffs,

v.

Case No. 07-CV-14074-DT

GENERAL MOTORS CORPORATION,

Defendant.

/

**ORDER GRANTING “JOINT MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT AGREEMENT
AND PROPOSED CLASS NOTICE”**

Before the court is the parties’ “Joint Motion for Preliminary Approval of Class Action Settlement Agreement and Proposed Class Notice.” Plaintiffs Earl L. Henry, Bonnie J. Lauria, Raymond B. Bailey, Theodore J. Genco, Marvin C. Marlow, Charles R. Miller, Laverne M. Soriano, and John Huber (“Class Representatives”), and International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (“UAW”) brought this action against Defendant General Motors Corporation (“GM”), challenging GM’s asserted right to unilaterally terminate or modify retiree health care benefits upon expiration of the settlement agreement approved by the Court in Int’l

Union, UAW v. General Motors Corp., No. 05-CV-73991-DT, 2006 U.S. Dist. LEXIS 14890 (E.D. Mich. Mar. 31, 2006), aff'd, 497 F.3d 615 (6th Cir. 2007) ("Henry I").

The parties have entered into a Settlement Agreement resolving Plaintiffs' claims in this case and, on February 21, 2008, filed a Joint Motion seeking preliminary approval of that Settlement Agreement and an Order approving notice to the Class in the form and manner agreed to by the parties. The court preliminarily approves the proposed class action settlement agreement and proposed class notice. Accordingly,

IT IS ORDERED that the parties' "Joint Motion for Preliminary Approval of Class Action Settlement Agreement and Proposed Class Notice" [Dkt. # 27] is GRANTED.

1. The Settlement Agreement (Ex. 1 to the Brief in Support of the Joint Motion) is preliminarily approved.
2. The Court will conduct a hearing, pursuant to Federal Rule of Civil Procedure 23(e)(1)(C), commencing on June 3, 2008, for the purpose of considering the fairness, reasonableness, and adequacy of the Settlement Agreement and to consider objections to the Settlement, if any. Other than the parties, no person will be heard at the hearing unless that person files an objection in writing with the Court postmarked on or before May 13, 2008.
3. GM shall provide notice, pursuant to Rule 23(e)(1)(B), to the Class of the Settlement Agreement and of the June 3, 2008 Hearing. GM will use its best efforts to send notice to individual Class Members by first class mail in substantially the form set forth in Exhibit 4 of the Brief in Support of the Joint Motion by March 29, 2008. GM shall also provide notice by

publication, in substantially the form set forth in Exhibit 5 of the Brief in Support of the Joint Motion, in the manner stated in the Settlement Agreement.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 5, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 5, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522